

# State of Wisconsin



## 2013 Assembly Resolution 3

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### ENGROSSED RESOLUTION

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*To repeal* assembly rule 17d (2), assembly rule 53 (4), assembly rule 73 (9) and assembly rule 95 (58); *to amend* assembly rule 3 (1) (r), assembly rule 5 (2), assembly rule 11 (4), assembly rule 11 (5) (a), assembly rule 11 (10), assembly rule 29 (3), assembly rule 61 (5), assembly rule 73 (2) (a), assembly rule 73 (3) (a), assembly rule 73 (4) (c), assembly rule 93 (2), assembly rule 93 (3), assembly rule 95 (38), assembly rule 95 (50), assembly rule 95 (54) and assembly rule 95 (63); and *to create* assembly rule 5 (4) and assembly rule 9 (2) (cd); **relating to:** the assembly rules.

***Resolved by the assembly, That:***

**SECTION 1.** Assembly rule 3 (1) (r) is amended to read:

ASSEMBLY RULE 3 (1) (r) Refer every notice and report concerning a proposed administrative rule received by him or her under section 227.19 of the statutes to the appropriate standing committee of the assembly within ~~7~~ 10 working days following receipt, and notify that committee whenever the speaker is informed that a proposed rule or portion thereof is being withdrawn. The speaker shall refer any report received from a standing committee that objects to a proposed rule or portion thereof to the joint committee for review of administrative rules.

**SECTION 2.** Assembly rule 5 (2) is amended to read:

ASSEMBLY RULE 5 (2) The chief clerk may delegate specific portions of the work assigned to the chief clerk or to the clerk's office to appropriate ~~assistants~~ staff, but shall supervise and remain responsible for its execution.

**SECTION 3.** Assembly rule 5 (4) is created to read:

ASSEMBLY RULE 5 (4) In order to comply with joint rule 13 and section 10 of article IV of the constitution, the chief clerk may perform all of the duties enumerated under rule 3m, except that

during any session convened under this subsection the chief clerk may not perform any duty related to the enactment of legislation or the adoption of a resolution.

**SECTION 4.** Assembly rule 9 (2) (cd) is created to read:

**ASSEMBLY RULE 9 (2) (cd)** If an assembly member of an assembly committee or a joint committee is unable to serve, the speaker may select a temporary replacement for a member of the majority party who is unable to serve from among those members of the same party and may select a temporary replacement for a member of the minority party, upon recommendation of the minority leader, who is unable to serve from among those members of the same party. The replacement takes effect when the member who is a temporary replacement answers the roll call of the assembly committee or joint committee and terminates upon the adjournment of the assembly committee or joint committee meeting or the return of the member who was unable to serve, whichever occurs first.

**SECTION 5.** Assembly rule 11 (4) is amended to read:

**ASSEMBLY RULE 11 (4)** All Except as provided in sub. (5) (a), all committee votes shall be taken in the presence of the committee. A member may not be recorded as voting unless the member is present at the committee session when the vote is taken. This subsection shall not apply to the committee on assembly organization when the committee is voting by ballot.

**SECTION 6.** Assembly rule 11 (5) (a) is amended to read:

**ASSEMBLY RULE 11 (5) (a)** A vote ~~may~~ shall be held open ~~until~~ after the adjournment of the committee session to permit an absent member to vote. ~~Any such vote may only be recorded if the member votes in the presence of the committee in session until 5:00 p.m. on the day on which the committee session is adjourned or 30 minutes after the adjournment, whichever is earlier. The absent member shall cast his or her vote in the committee room where the meeting is held.~~

**SECTION 7.** Assembly rule 11 (10) is amended to read:

**ASSEMBLY RULE 11 (10)** The chairperson shall notify committee members of all committee meetings. If an unIntroduced proposal will be considered at the meeting, the chairperson shall provide a copy of the unIntroduced proposal with the notice.

**SECTION 8.** Assembly rule 17d (2) is repealed.

**SECTION 9.** Assembly rule 29 (3) is amended to read:

**ASSEMBLY RULE 29 (3)** A calendar, except a calendar for a Saturday, Sunday, or state holiday specified in section 230.35 (4) (a) of the statutes, shall be provided to each member at least 12 hours before the calendar is to be acted upon during the last week of the last general-business floorperiod preceding the veto review session and ~~18~~ 24 hours before the calendar is to be acted upon at other times.

**SECTION 10.** Assembly rule 53 (4) is repealed.

**SECTION 11.** Assembly rule 61 (5) is amended to read:

**ASSEMBLY RULE 61 (5)** Questions of assembly or personal privilege have precedence only insofar as they require immediate consideration and are not dilatory.

**SECTION 12.** Assembly rule 73 (2) (a) is amended to read:

**ASSEMBLY RULE 73 (2) (a)** A motion to reconsider any decision, other than passage of or concurrence in a proposal, may only be entered after the question to which the motion relates has been decided and must be entered either: 1) before the relating clause of the next proposal is read by the clerk, the next order of business is announced by the presiding officer, or other business is begun; or 2) on the 7th order of business ~~on the 2nd legislative day thereafter~~ that next occurs on a roll call day.

**SECTION 13.** Assembly rule 73 (3) (a) is amended to read:

ASSEMBLY RULE 73 (3) (a) A motion for reconsideration of the vote by which a proposal is passed, adopted, concurred in, indefinitely postponed, rejected, or nonconcurred in may be entered: 1) before the relating clause of the next proposal is read by the clerk, the next order of business is announced by the presiding officer, or other business is begun; or 2) on the 7th order of business on ~~the next legislative day thereafter~~ that next occurs on a roll call day. Any motion to reconsider such final action shall be taken up immediately if the roll call day on which it is entered is already the next actual day following the vote constituting final action on the proposal.

SECTION 14. Assembly rule 73 (4) (c) is amended to read:

ASSEMBLY RULE 73 (4) (c) ~~-A- If a motion to reconsider a decision on any amendment may not be considered unless prevails,~~ the final decision on the proposal at the end of the 2nd reading stage is must also be reconsidered, returning the proposal to the amendable stage. If the engrossed proposal consists of a substitute amendment, with or without adopted amendments, both the vote to engross and the vote to adopt the substitute amendment must be reconsidered to return the proposal to the amendable stage.

SECTION 15. Assembly rule 73 (9) is repealed.

SECTION 16. Assembly rule 93 (2) is amended to read:

ASSEMBLY RULE 93 (2) ~~Proposals may be offered or introduced only~~ An assembly proposal may not be considered unless it is recommended to be introduced, offered, or considered by the assembly committees on finance, organization, or rules, or by the joint committees on employment relations, finance, or organization.

SECTION 17. Assembly rule 93 (3) is amended to read:

ASSEMBLY RULE 93 (3) A notice of ~~hearings before committees~~ a committee meeting is not required other than posting on the legislative bulletin boards and the legislature's Internet site, and a schedule of committee activities need not be published.

SECTION 18. Assembly rule 95 (38) is amended to read:

ASSEMBLY RULE 95 (38) JOINT HEARING: A hearing held by ~~a joint committee or by~~ committees of both houses.

SECTION 19. Assembly rule 95 (50) is amended to read:

ASSEMBLY RULE 95 (50) NONCONCURRENCE: The refusal of one house to agree to a proposal, amendment, or action of the other.

SECTION 20. Assembly rule 95 (54) is amended to read:

ASSEMBLY RULE 95 (54) PASSAGE: ~~Final assembly~~ Assembly approval of an assembly bill.

SECTION 21. Assembly rule 95 (58) is repealed.

SECTION 22. Assembly rule 95 (63) is amended to read:

ASSEMBLY RULE 95 (63) RECESS: A temporary suspension of business during a roll call day of the year.

State Capitol  
Madison, Wisconsin

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Representative Robin J. Vos  
Speaker of the Assembly

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Date

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Patrick E. Fuller  
Assembly Chief Clerk

### 2013 Assembly Resolution 3 (LRB -1086)

To repeal assembly rule 17d (2), assembly rule 53 (4), assembly rule 73 (9) and assembly rule 95 (58); to amend assembly rule 3 (1) (r), assembly rule 5 (2), assembly rule 11 (4), assembly rule 11 (5) (a), assembly rule 11 (10), assembly rule 29 (3), assembly rule 61 (5), assembly rule 73 (2) (a), assembly rule 73 (3) (a), assembly rule 73 (4) (c), assembly rule 93 (2), assembly rule 93 (3), assembly rule 95 (38), assembly rule 95 (50), assembly rule 95 (54) and assembly rule 95 (63); and to create assembly rule 5 (4) and assembly rule 9 (2) (cd); relating to: the assembly rules.

#### 2013

- 01-10. A. Introduced by Representatives **Vos, Barca, Suder, Kramer, Steineke, Ballweg, Jorgensen, Pasch** and **Zamarripa.**
- 01-10. A. Privileged and read
- 01-10. A. **Adopted**, Ayes 96, Noes 0

SR

**Resolution On "Certificate" Form**

**ENGROSS SIMPLE RES**

13en A Res 3

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**ADOPTED DOCUMENTS:**

☒ Orig      \_\_\_ SubAmdt \_\_\_

13 - 1086 / 1

Amendments to above (if none, write "NONE"): NONE

Corrections - show date (if none, write "NONE"): NONE

Topic Rel

1-11-13  
Date

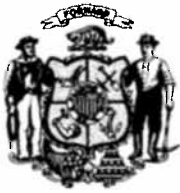
Joe Miller  
Drafter

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**ELECTRONIC PROCEDURE:**

Follow automatic or manual enrolling procedures in *TEXT2000 Reference Guide*, Document Specific Procedures, Ch. 20, Engrossing and Enrolling

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## 2013 ASSEMBLY RESOLUTION 3

January 10, 2013 – Introduced by Representatives VOS, BARCA, SUDER, KRAMER, STEINEKE, BALLWEG, JORGENSEN, PASCH and ZAMARRIPA.

1     **To repeal** assembly rule 17d (2), assembly rule 53 (4), assembly rule 73 (9) and  
2         assembly rule 95 (58); **to amend** assembly rule 3 (1) (r), assembly rule 5 (2),  
3         assembly rule 11 (4), assembly rule 11 (5) (a), assembly rule 11 (10), assembly  
4         rule 29 (3), assembly rule 61 (5), assembly rule 73 (2) (a), assembly rule 73 (3)  
5         (a), assembly rule 73 (4) (c), assembly rule 93 (2), assembly rule 93 (3), assembly  
6         rule 95 (38), assembly rule 95 (50), assembly rule 95 (54) and assembly rule 95  
7         (63); and **to create** assembly rule 5 (4) and assembly rule 9 (2) (cd); **relating**  
8         **to:** the assembly rules.

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### *Analysis by the Legislative Reference Bureau*

This resolution makes the following substantive changes to the assembly rules:

#### ***Casting of votes in committee***

The resolution provides that votes in committee must be held open after the adjournment of the committee session to permit an absent member to vote until 5:00 p.m. on the day on which the committee session is adjourned or 30 minutes after the adjournment, whichever is earlier. The absent member must cast his or her vote in the committee room where the meeting is held.

***Committee notice for meeting on unIntroduced proposals***

The resolution requires that, if an unIntroduced proposal will be considered at a committee meeting, the committee chairperson must provide a copy of the unIntroduced proposal with the notice.

***Provision of calendar to members***

The resolution provides that, except during the final week of the last general-business floorperiod, the calendar must be provided to each member at least 24 hours before the calendar is to be acted upon. The current requirement is 18 hours.

***Questions of assembly or personal privilege***

Current assembly rules governing floor debate provide that questions of assembly or personal privilege have precedence only insofar as they require immediate consideration. The resolution provides that these questions may not be dilatory.

***Power of speaker to make temporary committee appointments***

The resolution authorizes the speaker of the assembly to make temporary replacements of members on committees who are unable temporarily to serve on the committee.

***Determination of 24-hour notice rule for committee meetings***

The resolution eliminates a rule that prohibited the counting of hours between 5:00 p.m. and 8:00 a.m. for purposes of calculating a 24-hour notice provision for committee executive action on introduced proposals.

***Posting of notice for committee meetings during special, extraordinary, or extended sessions***

The resolution provides that during a special, extraordinary, or extended session a notice of a committee meeting is not required other than posting on the legislative bulletin boards and the legislature's Internet site, and a schedule of committee activities need not be published. The current rule applies this provision only to committee hearings.

***Power of assembly chief clerk during skeletal sessions***

The resolution permits the assembly chief clerk to perform duties of the presiding officer during skeletal sessions, other than any duty related to the enactment of legislation or the adoption of a resolution.

***Proposals that may be considered during special, extraordinary, or extended sessions***

The resolution provides that during a special or extraordinary session an assembly proposal may not be considered unless it is recommended to be introduced, offered, or *considered* by the assembly committees on finance, organization, or rules, or by the joint committees on employment relations, finance, or organization. Currently, the only proposals that may be considered during a special or extraordinary session are those offered or introduced by these committees.



***Duties of assembly chief clerk***

The resolution permits the assembly chief clerk to delegate specific portions of the work assigned to the chief clerk or to the chief clerk's office to appropriate staff. This provision clarifies current rules which specifically permit the chief clerk to delegate specific portions of the work assigned to the chief clerk's office only to appropriate assistants.

***Timing of reconsideration motions on amendments and proposals***

The resolution provides that for both amendments and proposals, the time for making reconsideration motions expires on the seventh order of business that next occurs on a roll call day after adoption of the amendment or passage of the proposal. Currently, reconsideration motions for amendments must be made no later than the seventh order of business on the second legislative day after adoption of the amendment, and reconsideration motions for proposals must be made no later than the seventh order of business on the next legislative day after passage of the proposal.

***Reconsideration of proposals when amendments are under reconsideration***

The resolution provides that if a motion for reconsideration of an amendment prevails, the entire proposal is returned to the amendable stage. Currently, the final decision on the proposal at the end of the second reading stage must also be reconsidered before a reconsideration of an amendment may be taken up.

***Referral of notices and reports concerning proposed administrative rules***

The resolution requires the referral of every notice and report concerning a proposed administrative rule received by the speaker to the appropriate standing committee of the assembly within ten working days following receipt. Current rules provide that the referral must be within seven working days.

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1           ***Resolved by the assembly, That:***

2           **SECTION 1.** Assembly rule 3 (1) (r) is amended to read:

3           **ASSEMBLY RULE 3 (1) (r)** Refer every notice and report concerning a proposed  
4 administrative rule received by him or her under section 227.19 of the statutes to the  
5 appropriate standing committee of the assembly within ~~7~~ 10 working days following  
6 receipt, and notify that committee whenever the speaker is informed that a proposed  
7 rule or portion thereof is being withdrawn. The speaker shall refer any report  
8 received from a standing committee that objects to a proposed rule or portion thereof  
9 to the joint committee for review of administrative rules.

10          **SECTION 2.** Assembly rule 5 (2) is amended to read:

1           ASSEMBLY RULE 5 (2) The chief clerk may delegate specific portions of the work  
2 assigned to the chief clerk or to the clerk's office to appropriate ~~assistants~~ staff, but  
3 shall supervise and remain responsible for its execution.

4           **SECTION 3.** Assembly rule 5 (4) is created to read:

5           ASSEMBLY RULE 5 (4) In order to comply with joint rule 13 and section 10 of  
6 article IV of the constitution, the chief clerk may perform all of the duties  
7 enumerated under rule 3m, except that during any session convened under this  
8 subsection the chief clerk may not perform any duty related to the enactment of  
9 legislation or the adoption of a resolution.

10          **SECTION 4.** Assembly rule 9 (2) (cd) is created to read:

11          ASSEMBLY RULE 9 (2) (cd) If an assembly member of an assembly committee or  
12 a joint committee is unable to serve, the speaker may select a temporary replacement  
13 for a member of the majority party who is unable to serve from among those members  
14 of the same party and may select a temporary replacement for a member of the  
15 minority party, upon recommendation of the minority leader, who is unable to serve  
16 from among those members of the same party. The replacement takes effect when  
17 the member who is a temporary replacement answers the roll call of the assembly  
18 committee or joint committee and terminates upon the adjournment of the assembly  
19 committee or joint committee meeting or the return of the member who was unable  
20 to serve, whichever occurs first.

21          **SECTION 5.** Assembly rule 11 (4) is amended to read:

22          ASSEMBLY RULE 11 (4) All Except as provided in sub. (5) (a), all committee votes  
23 shall be taken in the presence of the committee. A member may not be recorded as  
24 voting unless the member is present at the committee session when the vote is taken.

1 This subsection shall not apply to the committee on assembly organization when the  
2 committee is voting by ballot.

3 **SECTION 6.** Assembly rule 11 (5) (a) is amended to read:

4 ASSEMBLY RULE 11 (5) (a) A vote ~~may~~ shall be held open ~~until~~ after the  
5 adjournment of the committee session to permit an absent member to vote. ~~Any such~~  
6 ~~vote may only be recorded if the member votes in the presence of the committee in~~  
7 ~~session until 5:00 p.m. on the day on which the committee session is adjourned or 30~~  
8 ~~minutes after the adjournment, whichever is earlier. The absent member shall cast~~  
9 ~~his or her vote in the committee room where the meeting is held.~~

10 **SECTION 7.** Assembly rule 11 (10) is amended to read:

11 ASSEMBLY RULE 11 (10) The chairperson shall notify committee members of all  
12 committee meetings. If an unIntroduced proposal will be considered at the meeting,  
13 the chairperson shall provide a copy of the unIntroduced proposal with the notice.

14 **SECTION 8.** Assembly rule 17d (2) is repealed.

15 **SECTION 9.** Assembly rule 29 (3) is amended to read:

16 ASSEMBLY RULE 29 (3) A calendar, except a calendar for a Saturday, Sunday, or  
17 state holiday specified in section 230.35 (4) (a) of the statutes, shall be provided to  
18 each member at least 12 hours before the calendar is to be acted upon during the last  
19 week of the last general-business floorperiod preceding the veto review session and  
20 ~~18~~ 24 hours before the calendar is to be acted upon at other times.

21 **SECTION 10.** Assembly rule 53 (4) is repealed.

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23 ASSEMBLY RULE 61 (5) Questions of assembly or personal privilege have  
24 precedence only insofar as they require immediate consideration and are not  
25 dilatory.

1           **SECTION 12.** Assembly rule 73 (2) (a) is amended to read:

2           **ASSEMBLY RULE 73 (2) (a)** A motion to reconsider any decision, other than  
3 passage of or concurrence in a proposal, may only be entered after the question to  
4 which the motion relates has been decided and must be entered either: 1) before the  
5 relating clause of the next proposal is read by the clerk, the next order of business  
6 is announced by the presiding officer, or other business is begun; or 2) on the 7th order  
7 of business ~~on the 2nd legislative day thereafter~~ that next occurs on a roll call day.

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10 proposal is passed, adopted, concurred in, indefinitely postponed, rejected, or  
11 nonconcurred in may be entered: 1) before the relating clause of the next proposal  
12 is read by the clerk, the next order of business is announced by the presiding officer,  
13 or other business is begun; or 2) on the 7th order of business ~~on the next legislative~~  
14 ~~day thereafter~~ that next occurs on a roll call day. Any motion to reconsider such final  
15 action shall be taken up immediately if the roll call day on which it is entered is  
16 already the next actual day following the vote constituting final action on the  
17 proposal.

18           **SECTION 14.** Assembly rule 73 (4) (c) is amended to read:

19           **ASSEMBLY RULE 73 (4) (c)** ~~A~~ If a motion to reconsider a decision on any  
20 amendment ~~may not be considered unless prevails,~~ the final decision on the proposal  
21 at the end of the 2nd reading stage is must also be reconsidered, returning the  
22 proposal to the amendable stage. If the engrossed proposal consists of a substitute  
23 amendment, with or without adopted amendments, both the vote to engross and the  
24 vote to adopt the substitute amendment must be reconsidered to return the proposal  
25 to the amendable stage.

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ASSEMBLY RULE 95 (38) JOINT HEARING: A hearing held by ~~a joint committee or~~  
by committees of both houses.

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**SECTION 21.** Assembly rule 95 (58) is repealed.

**SECTION 22.** Assembly rule 95 (63) is amended to read:

ASSEMBLY RULE 95 (63) RECESS: A temporary suspension of business during a ~~roll call day of the year.~~

**(END)**